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Application Serial No.: 10/673,522
Amendment and Response to September 26, 2006 Final Office Action

REMARKS

Claims 1 - 7 and 9 - 20 are in the application. Claims 1 and 18 - 20 are currently amended; claims 2 - 7 and 9 - 17 were previously presented; and claim 8 is canceled. Claims 1 and 18 - 20 are the independent claims herein.

No new matter has been added to the application. Reconsideration and further examination are respectfully requested.

Claim Rejections - 35 USC § 102

Claims 1 - 7 and 9 - 20 were rejected under 35 U.S.C. 102(b) as being anticipated by Diacakis et al. (U.S. Publication No. 2002/0116336, hereinafter "Diacakis"). This rejection is respectfully traversed.

Regarding claim 1, Applicant respectfully submits that claim 1 relates to a method that includes detecting a new device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device. The method further includes mapping the new device context to an identity context for the identity by associating the new device context with the identity context for the identity, wherein the identity context provides an availability status of the identity; and providing data indicative of the mapped identity.

Claim 1 is amended to clearly and unambiguously clarify that the device context relates to an availability of a specific device associated with an identity. Also, the mapping operation has been further clarified to include associating the new device context with the identity context for the identity, wherein the identity context provides an availability status of the identity; and providing data indicative of the mapped identity.

Applicant respectfully notes that claims 18 (reciting a method), 19 (reciting an article of manufacture), and 20 (reciting an apparatus) each include recitations of

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detecting a new device context, mapping the new device context, and providing data indicative of the mapped identity context, similar to claim 1.

Applicant respectfully submits that the cited and relied upon Diacakis does not disclose or suggest, at least, the claimed detecting a new device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device, mapping the new device context to an identity context for the identity, and providing data indicative of the mapped identity context. Applicant emphasizes that the claimed new device context relates to a specific device and provides an indication of an availability status of the specific device.

However, in contrast to claims 1 and 18 – 20, the cited and relied upon Diacakis clearly discloses determining a presence of an individual (or a group of individuals) on a communication network and an availability of the individual on the communication network. (See Diacakis, Abstract and paragraphs [0026], [0028], and [0031]) Diacakis discloses, “the P&A management server 12 detects that the individual is at work, the server transmits the individual’s updated P&A information” (i.e., presence of individual) The presence detection engine 18 receives various inputs to determine the individual’s presence (Diacakis, paragraph[0040]) As explained at Diacakis paragraphs [0042] – [0043], various hardware devices may provide information to facilitate the determining of the presence of the individual.

Diacakis also discloses determining and/or providing an indication of an availability of a communication network (See paragraph [0059]). Diacakis discloses, “[T]he presence detection engine 18 may determine an individual’s presence upon particular networks based on various inputs, as described further hereinbelow. The presence detection engine 18 may transmit the presence information to the availability management engine 20, which in turn may determine the individual’s availability based on the presence information as well as additional information, such as the individual’s situation and defined rules and preferences. The determined availability information may then be transmitted to subscribers of the individual’s availability information via the network 16, as described previously.” (Diacakis, paragraph [0038])

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Applicant reiterates that Diacakis determines an availability of an individual and the availability of a communication network but fails to disclose or suggest the availability of a "specific device". As illustrated in FIG. 8, Diacakis interprets the availability of a contact (e.g., Jonathan) by providing an indication of Jonathan's availability on two communication networks, i.e., IM system ("IM" symbol) and telephone network (phone icon). Diacakis assumes that the individual is available based on the contact's detected presence on the two communication networks.

In addition to not disclosing that which Applicant claims, Diacakis also fails to overcome the problems addressed by Applicant's invention. As explained at paragraphs [0028] – [0031], situations involving multiple devices associated with an individual identity, changing identity contexts, and changing relationships between identity contexts and device contexts are not fully addressed in the absence of Applicant's claimed method/system/apparatus that includes detecting a new device context for a specific device. The devices in Diacakis are associated with a communication network but there is no disclosure or suggestion regarding the detection of a new device context for specific devices on the communication networks.

Accordingly, Applicant respectfully submits that the cited and relied upon Diacakis fails to disclose each and every aspect of the pending claims 1 and 18 – 20, as is required for anticipation under 35 USC 102(b). In particular, Diacakis does not disclose detecting a new device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device.

Claims 2 – 7 and 9 – 17 depend from claim 1. Applicant respectfully submits that claims 2 – 7 and 9 – 17 are also patentable over Diacakis under 35 USC 102(b) for at least depending from a patentable base claim. Therefore, the reconsideration and withdrawal of the rejection of claims 1 – 7 and 9 – 20 are respectfully requested, as well as the allowance of same.

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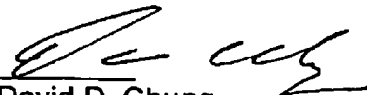
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CONCLUSION

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (408) 492-5336.

Respectfully submitted,

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